

RECEIVED  
CENTRAL FAX CENTER

SEP 11 2007

**IN THE CLAIMS:**

1. (Previously presented) A spinal plating system, comprising:  
an elongate plate including a length extending along a longitudinal axis adapted to span a space between adjacent vertebrae, said plate including a first connection portion attachable to a first one of the adjacent vertebrae and a second connection portion attachable to a second one of the adjacent vertebrae, and an intermediate portion extending between said first and second connection portions, said intermediate portion including a visualization opening extending therethrough for visualizing the space when said plate is attached to the adjacent vertebrae, said visualization opening including at least one convexly curved side wall extending along the longitudinal axis and opposite end walls on opposite ends of said visualization opening extending across the longitudinal axis, each of said end walls including a concave shape extending across the longitudinal axis.
2. (Original) The plating system of claim 1, wherein said visualization opening includes a second convexly curved side wall opposite the at least one convexly curved side wall.
3. (Original) The plating system of claim 1, wherein said plate includes an outer wall surface along said intermediate portion, said outer wall surface having a concave curvature along said convexly curved side wall of said visualization opening.
4. (Original) The plating system of claim 1, wherein said visualization opening includes an hourglass shape.
5. (Original) The plating system of claim 1, wherein said intermediate portion includes a first member along one side of said visualization opening and a second member along the opposite side of said visualization opening, said first and second members extending between said first and second connection portions.

Response to Final Office Action  
Application Serial No. 10/603,471  
Atty Docket No. MSDI-259/PC757.00  
Page 2 of 25

6. (Original) The system of claim 5, wherein said first member includes said at least one convexly curved side wall of said visualization opening and a concavely curved outer wall surface of said intermediate portion.

7. (Original) The system of claim 6, wherein said second member includes a second convexly curved side wall of said visualization opening opposite said at least one convexly curved side wall of said visualization opening and a second concavely curved outer wall surface of said intermediate portion.

8. (Currently amended) The system of claim 7, wherein said first and second members each include a first width between respective ones of said concavely curved outer wall surface and said convexly curved side wall of said visualization opening.

9. (Original) The system of claim 8, wherein said visualization opening includes a second width between said convexly curved side walls, said second width being greater than said first width.

10. (Original) The system of claim 9, wherein said second width is at least as great as the combined first width of said first and second members.

11. (Original) The system of claim 5, wherein said first and second members are integrally formed with said first and second connection portions.

12. (Previously presented) The system of claim 1, wherein said visualization opening includes:

a convexly curved side wall opposite said at least one convexly curved side wall; and said end walls extend between said side walls.

13. (Previously presented) The system of claim 12, wherein said upper end wall and said lower end wall are concavely curved between said convexly curved side walls.

14. (Original) The system of claim 1, wherein said visualization opening is centered on said longitudinal axis of said plate.

15. (Original) The system of claim 1, further comprising a fusion member positionable in the space between adjacent vertebrae, said fusion member being visible through said visualization opening when said plate is attached to the adjacent vertebrae.

16. (Original) The system of claim 1, further comprising a holding instrument engageable to said plate, said holding instrument operable to apply a clamping force between an outer wall surface of said plate and a wall of said visualization opening adjacent said outer wall surface.

17. (Original) The system of claim 16, wherein said holding instrument includes a holding system including first and second holding members to apply said clamping force to said plate.

18. (Original) The system of claim 1, wherein each of said connection portions includes a pair of openings each for receiving a bone anchor therethrough to attach said connection portion to the respective adjacent vertebrae.

19. (Original) The system of claim 18, wherein each of said connection portions includes a retaining device engageable to said plate to prevent said bone anchors in said pair of openings from backing out of said plate.

20. (Previously presented) A spinal plating system, comprising:  
an elongate plate extending along a longitudinal axis and including a length along the longitudinal axis adapted to span a space between adjacent vertebrae, said plate including a first connection portion attachable to a first one of the adjacent vertebrae and a second connection portion attachable to a second one of the adjacent vertebrae, and an intermediate portion extending between said first and second connection portions, wherein said first and second connection portions have substantially the same width across said longitudinal axis and each

includes at least two holes on opposite sides of the longitudinal axis for receiving bone engaging fasteners, said intermediate portion including a visualization opening extending therethrough for visualizing the space when said plate is attached to the adjacent vertebrae, wherein said intermediate portion includes a first member along one side of said visualization opening and a second member along the opposite side of said visualization opening, wherein said first and second members each include a first width between an outer side surface of said plate and an inner side wall of said visualization opening, said visualization opening including a second width between inner side walls of said first and second members, said second width being greater than the combined first width of said first and second members.

21. (Original) The system of claim 20, wherein at least one of said inner side walls of said visualization opening is convexly curved along the longitudinal axis.

22. (Original) The system of claim 21, wherein said outer side surfaces of said first and second members are concavely curved along the longitudinal axis adjacent said visualization opening.

23. (Original) The system of claim 20, wherein said second width is in the range from 100 percent to 125 percent of the combined first width.

24. (Original) The system of claim 20, wherein said visualization opening includes a length along said longitudinal axis of said plate, said visualization opening including a length-to-width ratio ranging from 1.0 to 2.5.

25. (Original) The system of claim 20, wherein said visualization opening includes a length along said longitudinal axis of said plate, said visualization opening including a length-to-width ratio ranging from 1.0 to 1.5.

26. (Original) The system of claim 20, wherein said visualization opening includes a length along said longitudinal axis of said plate, said visualization opening including a length-to-width ratio ranging from 1.5 to 2.25.

27. (Original) The system of claim 20, wherein said visualization opening includes a length along said longitudinal axis of said plate, said visualization opening including a length-to-width ratio ranging from 1.0 to 2.0.

28. (Previously presented) A system for stabilizing a portion of the spinal column, comprising:

a plate including a length extending along a longitudinal axis and comprising at least a first end wall and a second end wall each extending transversely to said longitudinal axis; and

a holding instrument including a remotely actuatable holding system adapted to hold the plate with a clamping force between said first and second end walls, wherein said first end wall forms an outer end surface of said plate and said second end wall is an end wall of a visualization opening extending through said plate.

29. (Previously presented) The system of claim 28, wherein said second end wall is concavely curved toward said first end wall across said longitudinal axis.

30. (Previously presented) The system of claim 29, wherein said visualization opening includes at least one convexly surface side wall extending along said longitudinal axis of said plate.

31. (Original) The system of claim 28, wherein said holding system is adapted to hold said plate along said longitudinal axis of said plate.

32. (Original) The system of claim 28, wherein said holding instrument includes a proximal handle system and a connecting system operably connecting said holding system to said handle system.

33. (Original) The system of claim 28, wherein said first end wall is concavely curved and said second end wall is concavely curved, said holding system comprising a first holding member including a convexly curved plate contacting surface adapted to conform to the concavely curved first end wall and a second holding member including a convexly curved plate contacting surface adapted to conform to the concavely curved second end wall.

34. (Original) The system of claim 28, wherein said holding system includes a stationary second holding member and a first holding member pivotally attached to said second holding member and movable relative thereto between a clamping position and a release position.

35. (Original) The system of claim 34, wherein said first holding member includes a proximal portion including a first end pivotally attached to said second holding member, said proximal portion extending transversely to said second holding member, said first holding member further including an intermediate portion extending from a second end of said proximal portion opposite said first end, said intermediate portion extending generally in the direction of said second holding member and forming a space with said second holding member to facilitate viewing of a portion of said plate clamped between said first and second holding members.

36. (Previously presented) A spinal plating system, comprising:  
a plate extending along a longitudinal axis, said plate having at least one bone engaging fastener hole offset to one side of said longitudinal axis;  
a holding instrument comprising:  
    an actuating system;  
    a holding system operably coupled to said actuating system, said holding system including first and second holding members movable with said actuating system between a release position and a clamping position to selectively engage and release said plate therebetween along said longitudinal axis thereof; and  
    a guide mechanism along said actuating system including at least one guide member spaced proximally from said plate when said holding system is engaged to said plate and

with said at least one guide member positioned relative to said plate to guide placement of a bone engaging fastener through said at least one hole.

37. (Original) The system of claim 36, wherein:

said plate includes a pair of bone engaging fastener holes positioned on opposite sides of said longitudinal axis; and

said guide mechanism includes a pair of guide members alignable with respective ones of said first and second bone engaging fastener holes, said first and second holding members being positioned between said pair of guide members.

38. (Previously presented) The system of claim 36, wherein said holding instrument further comprises an alignment mechanism adjacent said holding system and distal of said guide mechanism, said alignment mechanism including at least one alignment member extending laterally from said holding system along said at least one bone engaging fastener hole of said plate.

#### Claims 39-58 (Cancelled)

59. (Previously presented) A spinal plating system, comprising:

an elongate plate including a length extending along a longitudinal axis adapted to span a space between adjacent vertebrae, said plate including a first connection portion attachable to a first one of the adjacent vertebrae and a second connection portion attachable to a second one of the adjacent vertebrae, said first and second connection portions having substantially the same width across said longitudinal axis and an intermediate portion extending between said first and second connection portions, wherein said intermediate portion is comprised of a translucent material for visualizing the space when said plate is attached to the adjacent vertebrae.

60. (Original) The system of claim 59, wherein said intermediate portion further includes at least one visualization opening for visualizing the space.

61. (Currently amended) The system of claim 60, wherein said visualization opening includes at least one convexly curved side wall extending along the longitudinal axis and is further defined by upper and lower end walls having ~~having a~~ concave curvatures across said longitudinal axis.

62. (Original) The system of claim 59, wherein said entire plate is comprised of translucent material.

Claims 63-80 (Cancelled)

81. (Previously presented) A spinal plating system, comprising:  
an elongate plate including a length extending along a longitudinal axis adapted to span a space between adjacent vertebrae, said plate including a first connection portion attachable to a first one of the adjacent vertebrae and a second connection portion attachable to a second one of the adjacent vertebrae, and an intermediate portion extending between said first and second connection portions, said intermediate portion including a visualization opening extending therethrough for visualizing the space when said plate is attached to the adjacent vertebrae, said visualization opening including at least one convexly curved side wall extending along the longitudinal axis, wherein each of said connection portions includes a pair of openings each for receiving a bone anchor therethrough to attach said connection portion to the respective adjacent vertebrae and each of said connection portions includes a retaining device engageable to said plate to prevent said bone anchors in said pair of openings from backing out of said plate.

82. (Previously presented) The system of claim 81, wherein said visualization opening includes opposite end walls extending across the longitudinal axis and each of said end walls define said visualization opening with a concave curvature at the longitudinal axis.

83. (Previously presented) The plating system of claim 81, wherein said intermediate portion includes a first member along one side of said visualization opening and a second member along



the opposite side of said visualization opening, said first and second members extending between said first and second connection portions.

84. (Previously presented) The system of claim 83, wherein said first member includes said at least one convexly curved side wall of said visualization opening and a concavely curved outer wall surface of said intermediate portion.

85. (Previously presented) The system of claim 84, wherein said second member includes a second convexly curved side wall of said visualization opening opposite said at least one convexly curved side wall of said visualization opening and a second concavely curved outer wall surface of said intermediate portion.

86. (Previously presented) The system of claim 85, wherein said first and second members each include a first width between respective ones of said concavely outer wall surface and said convexly curved side wall of said visualization opening.

87. (Previously presented) The system of claim 86, wherein said visualization opening includes a second width between said convexly curved side walls, said second width being greater than said first width.

88. (Previously presented) The system of claim 87, wherein said second width is at least as great as the combined first width of said first and second members.

89. (Previously presented) A spinal plating system, comprising:  
a plate extending along a longitudinal axis, said plate having at least one bone engaging fastener hole offset to one side of said longitudinal axis, said plate including a first connection portion attachable to a first one of the adjacent vertebrae and a second connection portion attachable to a second one of the adjacent vertebrae and an intermediate portion extending between said first and second connection portions, said intermediate portion defining a visualization window with an upper end adjacent said first connection portion and lower end

adjacent said second connection portion, said upper and lower ends having substantially the same width across said longitudinal axis;

a holding instrument comprising:

an actuating system;

a holding system operably coupled to said actuating system, said holding system including first and second holding members movable with said actuating system between a release position and a clamping position to selectively engage and release said plate therebetween along said longitudinal axis thereof; and

a guide mechanism along said actuating system including at least one guide member, wherein with said at least one guide member positioned relative to said plate to guide placement of a bone engaging fastener through said at least one hole.

90. (Previously presented) The system of claim 89, wherein:

each of said first and second connection portions of said plate includes a pair of bone engaging fastener holes positioned on opposite sides of said longitudinal axis; and

said guide mechanism includes a pair of guide members alignable with respective ones of said first and second bone engaging fastener holes, said first and second holding members being positioned between said pair of guide members.

91. (Previously presented) The system of claim 89, wherein said holding instrument further comprises an alignment mechanism adjacent said holding system and distal of said guide mechanism, said alignment mechanism including at least one alignment member extending laterally from said holding system along said at least one bone engaging fastener hole of said plate.

92. (Previously presented) The system of claim 1, wherein the concave shape of each end wall extends between said at least one convexly curved side wall and a second side wall opposite said at least one convexly curved sidewall.

93. (Previously presented) The system of claim 92, wherein said second side wall is convexly curved along said visualization opening.

Response to Final Office Action  
Application Serial No. 10/603,471  
Atty Docket No. MSDI-259/PC757.00  
Page 12 of 25